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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-191

13 **AMY MICHELE MARTIN**  
207 Irene Street  
14 Bakersfield, CA 93305  
Registered Nurse License No. 645511

**A C C U S A T I O N**

15 Respondent.

16  
17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
20 of Consumer Affairs.

21 2. On or about September 27, 2004, the Board of Registered Nursing (Board) issued  
22 Registered Nurse License Number 645511 to Amy Michele Martin (Respondent). The Registered  
23 Nurse License was in full force and effect at all times relevant to the charges brought herein. It  
24 expired on September 30, 2008, and has not been renewed

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1 traffic lines at a speed of 85 miles an hour, and then determined that she was intoxicated. After  
2 booking, a breathalyzer test indicated a blood-alcohol content level of .18%.

3 b. On or about September 19, 2008, after pleading nolo contendere, Respondent was  
4 convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (a)  
5 [driving under the influence] in the criminal proceeding entitled *People v. Amy Michele Martin*  
6 (Super. Ct. Kern County, 2008, No. BM728286A). Respondent was sentenced to 180 days in jail  
7 and placed on three years probation. The underlying arrest occurred on or about February 13,  
8 2008, when officers of the Bakersfield Police Department observed Respondent to be intoxicated  
9 while they were investigating a traffic accident in which Respondent drove through an  
10 intersection in reverse and collided with another car.

11 c. On or about June 9, 2006, after pleading nolo contendere, Respondent was convicted  
12 of one misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [driving with  
13 a blood-alcohol content greater than .08%] in the criminal proceeding entitled *The People of the*  
14 *State of California v. Amy Michele Martin* (Super. Ct. Los Angeles County, 2006, No.  
15 6PS02257). Respondent was placed on three years probation and ordered to complete a three-  
16 month drug and alcohol education program. The underlying arrest occurred on or about June 9,  
17 2006, when officers of the Pasadena Police Department stopped Respondent for driving  
18 erratically, and then determined that she was intoxicated based on her unsteady gait, bloodshot  
19 eyes, and failed field sobriety tests.

## 20 **SECOND CAUSE FOR DISCIPLINE**

### 21 **(Dangerous Use of Alcohol)**

22 12. Respondent is subject to disciplinary action under section 2761, subdivision (a), in  
23 conjunction with section 2762, subdivision (b), as a result of Respondent's use of alcohol in a  
24 manner dangerous to herself and others to the extent that it impaired her ability to function safely  
25 as a registered nurse. Complainant refers to and incorporates all the allegations contained in  
26 paragraph 11, including its subparagraphs, as though set forth fully.

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1           2.     Ordering Respondent to pay the Board the reasonable costs of the investigation and  
2 enforcement of this case, pursuant to section 125.3; and

3           3.     Taking such other and further action as deemed necessary and proper.  
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5     DATED: 10/5/09

*Louise R. Bailey*  
LOUISE R. BAILEY, M.D.  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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